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FM THE WHITE HOUSE SITUATION ROOM TOHAK 57

PARIS

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UNCLAS SECTION ONE OF TWO WH30050

25X1

FM THE SITUATION ROOM

TO WINSTON LORD FOR DR. KISSINGER

TOHAK 57

U.S., HANOI FOCUS ON DMZ AS KEY OBSTACLE TO PACT

BOTH SIDES MODERATE POSITIONS

BY MURREY MARDER WASHINGTON POST STAFF WRITER

ON-FILE NSC RELEASE
INSTRUCTIONS APPLY

PARIS, JAN. 9 -----

THE UNITED STATES AND NORTH VIETNAM HAVE BACKED AWAY FROM THEIR MOST EXTREME DEMANDS AND ARE NOW BARGAINING GOLDLY AND TOUGHLY ON THE CENTRAL OBSTACLES THAT BLOCKED A PEACE ACCORD BEFORE NEGOTIATIONS COLLAPSED LAST MONTH, IT WAS LEARNED HERE.

A DISTINCT CHILL IN THE BARGAINING AS A RESULT OF THE UNPRECEDENTEDLY HEAVY 12 DAYS OF AMERICAN BOMBING OF NORTH VIETNAM HANGS OVER WHAT BOTH SIDES NOW AGREE IS THE DECISIVE MOMENT OF THE WAR. SUSPICIONS HAVE INTENSIFIED ON BOTH SIDES. THE BARGAINING, HOWEVER, HAS NOW MOVED BACK TO THE MAKE-OR-BREAK ISSUES OF THE NEGOTIATIONS BETWEEN PRESIDENTIAL ENVOY HENRY A. KISSINGER AND NORTH VIETNAM'S LE DUC THO.

IT IS NOW POSSIBLE TO IDENTIFY WITH NEW PRECISION THE KEY BARRIER
No Objection to Declassification in Part 2010/08/06 : LOC-HAK-248-4-13-8

TO A CEASEFIRE ACCORD. THIS ISSUE IS WHETHER THERE WILL BE A FIRM, IMPENETRABLE DIVIDING LINE BETWEEN NORTH AND SOUTH VIETNAM, OR WHAT AMOUNTS TO A "POROUS" DEMILITARIZED ZONE BETWEEN THE TWO SIDES.

THIS IS NO MERE TECHNICAL QUESTION. THE SUBSTANCE AND THE CONSEQUENCES OF THE ENTIRE AGREEMENT TURN ON IT, FOR THIS WILL DETERMINE IF THERE IS TO BE A RELATIVE "AMBIGUOUS" AGREEMENT OR NONE-- OR A COMPROMISE BETWEEN AMBIGUITY AND PRECISION.

IF THE DEMILITARIZED ZONE IS POROUS ENOUGH TO PERMIT FOOD, SUPPLIES AND COMMUNICATIONS TO PASS THROUGH IT, THEN IT COULD ALSO PERMIT THE PASSAGE OF PERSONNEL, INCLUDING POLITICAL CADRES. THE DISTINCTION BETWEEN CIVILIAN PERSONNEL AND CONCEALED MILITARY PERSONNEL, HOWEVER, CAN BE A VERY FINE AND POSSIBLY MEANINGLESS ONE, WESTERN SOURCES EMPHASIZE.

ALTERNATIVELY, IF THE DIVIDING ZONE IS ABSOLUTELY SOLID AND NONCROSSABLE, IT COULD INDEFINITELY WALL OFF SOUTH VIETNAM FROM NORTH VIETNAM.

A COMPROMISE ON THIS CORE QUESTION COULD PRODUCE AN AGREEMENT, ACCORDING TO INFORMED SOURCES HERE, IF THE OPPOSING SIDES IN FACT ARE DETERMINED TO ACHIEVE ONE. EACH MAINTAINS THAT IT IS.

ACCORDING TO PRESENT THINKING ON THE ALLIED SIDE HERE, BY THE END OF THIS WEEK IT SHOULD BE POSSIBLE TO JUDGE WHETHER THE NEGOTIATIONS WILL MOVE TOWARD AN ACCORD OR END IN STALEMATE.

IF THE OUTLOOK IS VERY BRIGHT BY THEN, IT IS SAID, IT WOULD TAKE ADDITIONAL TIME DURING THE FOLLOWING WEEK OR MORE TO CONCLUDE THE PARIS PORTIONS OF AN AGREEMENT.

AFTERWARD, EVEN IF ALL GOES VERY WELL, IT IS ⁵ESTIMATED, PERHAPS TWO TO THREE WEEKS MORE WOULD BE REQUIRED TO REVIEW THE AGREEMENT IN WASHINGTON AND IN SAIGON AND TO COMPLETE ARRANGEMENTS WITH NATIONS WHO WOULD

THAT WAS THE BASIC FOR POTENTIAL AGREEMENT IN THE OCTOBER DRAFT.
No Objection to Declassification in Part 2010/08/06 : LOC-HAK-248-4-13-8

THE AGREEMENT WAS STALLED OVER U.S. INSISTENCE ON MAKING IT MORE
PRECISE TO MEET A PORTION OF THIEU'S DEMANDS AND TO SATISFY PRESI-
DENT NIXON'S OWN CONDITIONS FOR A SETTLEMENT/ NORTH VIETNAM'S
HOPES FOR COMPLETING AN AGREEMENT BEFORE THE NOV. 8 U.S. PRESIDEN-
TIAL ELECTION WERE DESTROYED IN THE PROCESS.

WHEN NEGOTIATIONS WERE RESUMED IN THE NOV. 20- DEC. 13 TALKS IN
PARIS, SOURCES HERE CONDEDE, THE ASKING PRICE FOR A SETTLEMENT WENT
UP ON BOTH SIDES.

OFFICIALLY, THE NIXON ADMINISTRATION MAINTAINS THAT IT IS
MYSTIFIED ABOUT WHAT CAUSED NORTH VIETNAM TO BACK AWAY FROM AN
AGREEMENT. OTHER NON-COMMUNIST SOURCES HERE SAY, HOWEVER, THAT
THEY DO NOT SEE WHAT IS SO MYSTIFYING ABOUT WHAT HAPPENED.

UNDER THE ~~NO OBJECTION TO DECLASSIFICATION IN PART 2010/08/06 : LOC-HAK-248-4-13-8~~ ~~THIS TIMETABLE IS~~
CORRECT, WOULD RULE OUT A COMPLETE AGREEMENT BY PRESIDENT NIXON'S
INAUGURATION DAY ON JAN. 20. IT COULD PERMIT AN INTERIM STATEMENT,
HOWEVER.

FROM INFORMATION PIECED TOGETHER FROM A NUMBER OF SOURCES HERE
SINCE THE TALKS RESUMED YESTERDAY, IT IS NOW EVIDENT THAT THIS IS THE
HITHERTO SECRET, FUNDAMENTAL AND SPECIFIC PROBLEM THAT HAS BEEN ONLY
ALLUDED TO WITH DELIBERATE MURKINESS BY THE ADVERSARIES IN A CON-
FUSION OF TALK ABOUT THE "SOVEREIGNTY" OF SOUTH VIETNAM AND MUTUAL
COUNTERCHANGES OVER WHO RENEGED ON THE DRAFT AGREEMENT DRAMATICALLY
ANNOUNCED ON OCT. 26.

SOUTH VIETNAM'S PRESIDENT NGUYEN VAN THIEU'S INSISTENCE ON AN
AGREEMENT GUARANTEEING THE SOVEREIGNTY OF SOUTH VIETNAM HAS BEEN
MISTAKENLY DESCRIBED FOR WEEKS AS THE MAJOR OBSTACLE IN THE TALKS,
BOTH AMERICAN AND SOUTH VIETNAMESE SOURCES PRIVATELY CONDEDE.
REFUSAL TO DISCLOSE THE MORE COMPLEX OBSTACLE NOURISHED THE PUBLIC
CONFUSION, WESTERN SOURCES ACKNOWLEDGE.

IF THE UNITED STATES SUPPORTED SAIGON'S DEMAND FOR SOVEREIGNTY,
WHICH AMERICAN SOURCES INSIST THEY NEVER DID, IT WOULD HAVE VIOLATED
THE WHOLE BASIS FOR THE INTENDED AGREEMENT. THE PROPOSED ACCORD
RESTS ON THE FOUNDATION OF A STANDSTILL CEASE-FIRE, WHICH MEANS
ACCEPTING THE EXISTING BATTLE LINES AND FORCES IN PLACE AT THE
TIME THE MILITARY STANDDOWN GOES INTO FORCE. IN NORTH VIETNAM'S
LANGUAGE, THIS MEANS ACCEPTANCE OF "TWO ADMINISTRATIONS, TWO ARMIES"
IN SOUTH VIETNAM. THAT INCLUDES THE PRESENCE OF NORTH
VIETNAMESE TROOPS, EVEN THOUGH HANOI STILL OFFICIALLY REFUSES TO
ACKNOWLEDGE THAT NORTH VIETNAMESE UNITS AS SUCH EVEN ARE IN THE
SOUTH.

FM THE WHITE HOUSE SITUATION ROOM TOHAK 57

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FINAL SECTION OF TWO WH30050

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FM THE SITUATION ROOM

TO WINSTON LORD FOR DR. KISSINGER

TOHAK 57

IN BRIEF, THEY SAY, AS THE UNITED STATES ASKED FOR MORE, AS THE PRICE OF A SETTLEMENT, NORTH VIETNAM OFFERED LESS.

THE PROVISIONAL REVOLUTIONARY GOVERNMENT (VIET-CONG), AS WELL AS THE SAIGON GOVERNMENT, WAS DISGRUNTLED ABOUT THE ORIGINAL LOOSE AGREEMENT, AND MUTUAL SUSPICIONS ABOUT THE ACCORD MOUNTED ONCE THE ORIGINAL MOMENTUM DISAPPEARED. IN ADDITION, IN HANOI AS WELL AS IN WASHINGTON, THE DELAY GAVE SKEPTICS NEW OPPORTUNITY TO POINT TO HOLES IN WHAT IS NOW PRIVATELY ADMITTED TO HAVE BEEN A DELIBERATELY "IMPERFECT" DRAFT ACCORD FILLED WITH AMBIGUITIES IN ORDER TO CIRCUMVENT OBSTACLES THAT COULD NOT BE RESOLVED.

THE MASSIVE AMERICAN B-52 BOMBER ATTACKS ON THE HANOI-HAIPHONG REGION BETWEEN DEC. 18 AND DEC. 30 UNQUESTIONABLY HARDENED NORTH VIETNAM'S SUSPICIONS. WHEN THE PRESENT ROUND OF TALKS BETWEEN KISSINGER AND LE DUC THO OPENED YESTERDAY, THERE WERE TWO OVER-RIDING QUESTIONS.

NORTH VIETNAM SAID THE ISSUE IS WHETHER THE UNITED STATES WANTS AN AGREEMENT ENOUGH TO ACCEPT WHAT HANOI SOURCES HERE REITERATED TODAY ARE THE ONLY POSSIBLE MODIFICATIONS--"MINOR CHANGES" WHICH WILL MAINTAIN THE SUBSTANCE OF THE OCTOBER DRAFT. THE UNITED STATES, FOR ITS PART, INSISTS THAT IT DOES ACCEPT THE SUBSTANCE OF THE OCTOBER ACCORD, BUT SEEKS SPECIFIC LANGUAGE TO ENFORCE ITS VERSION OF THE MEANING OF THAT SUBSTANCE

AS THE INFORMATION AVAILABLE ABOUT THE CRITICAL DISPUTE OVER

No Objection to Declassification in Part 2010/08/06 : LOC-HAK-248-4-13-8

THE DEMILITARIZED ZONE NOW REVEALS, HOWEVER, THERE IS A FUNDAMENTAL PROBLEM TO BE BRIDGED ON THE NATURE OF THE AGREEMENT ITSELF, AS WELL AS DETAILS TO BE FILLED IN AND SPECIFIC ARRANGEMENTS TO BE WORKED OUT ON ESTABLISHING A CEASE-FIRE, BRINGING THE PROPOSED THREE-SEGMENT NATIONAL COUNCIL OF RECONCILIATION AND CONCORD INTO BEING SO THAT, IN THEORY, THE VIETNAMESE THEMSELVES WILL WORK OUT THE POLITICAL FUTURE OF SOUTH VIETNAM ONCE ALL AMERICAN TROOPS WITHDRAW.

KISSINGER SAID ON DEC. 16, WITHOUT AMPLIFICATION, THAT "WE CANNOT ACCEPT THE PROPOSITION THAT NORTH VIETNAM HAS A RIGHT OF CONSTANT INTERVENTION IN THE SOUTH." WHAT HE WAS REFERRING TO, IT IS NOW APPARENT, WAS THE SECRET DISPUTE OVER THE SANCTITY OR POROSITY OF THE DEMILITARIZED ZONE.

WHAT RELIABLE AMERICAN AND SOUTH VIETNAMESE NOW CLAIM IS THAT NORTH VIETNAM SEEKS TO DILUTE THE STATUS OF THE DIVIDING ZONE AS IT WAS SPECIFIED IN THE 1954 GENEVA ACCORDS. THE NORTH VIETNAMESE CONTENTION, ACCORDING TO THESE ALLIED SOURCES, IS THAT IN 1973, AS IN 1954, THE SETTLEMENT TERMS FOR THE WAR MUST REPRESENT THE ACTUAL STATE OF THE BATTLEFIELD.

AS A RESULT OF THE OFFENSIVE LAUNCHED FROM THE NORTH ON APRIL 30, COMMUNIST FORCES ARE NOW BELOW THE DMZ, HOLDING MUCH OF SOUTH VIETNAM'S NORTHERNMOST PROVINCE, QUANG TRI. THE DMZ IS IN COMMUNIST HANDS AS A RESULT OF BATTLE VICTORY. THE COMMUNIST SIDE THEREFORE BARGAINS ON THE PREMISE THAT ANY COMPROMISE SETTLEMENT MUST RECOGNIZE THAT THE ACTUAL DIVIDING LINE BETWEEN NORTHERN AND SOUTHERN-HELD TERRITORY HAS CHANGED.

No Objection to Declassification in Part 2010/08/06 : LOC-HAK-248-4-13-8

IF THE DMZ WERE RESTORED AS AN ABSOLUTELY SEALED LINE. IT IS
No Objection to Declassification in Part 2010/08/06 : LOC-HAK-248-4-13-8

SAID, THE COMMUNISTS CONTEND THAT THIEU'S MILLION MEN UNDER ARMS
WOULD HAVE THE POTENTIAL TO WIPE OUT THE SEALED-OFF COMMUNIST FORCES.

CONSEQUENTLY, HANOI ARGUES, THE COMMUNIST FORCES IN THE SOUTH
MUST HAVE A LIFE-LINE TO THE NORTH TO PRESERVE THE BALANCE IN THE
AGREED-UPON STRUGGLE FOR POLITICAL CONTROL IN SOUTH VIETNAM AFTER
A CEASE-FIRE.

NORTH VIETNAMESE AND VIETCONG SOURCES HERE HAVE NEVER DISCUSSED
THIS SUBJECT DIRECTLY WITH NEWSMEN. THERE IS A CLEAR ALLUSION TO
IT, HOWEVER, IN THE REPEATED USE MADE ON THE COMMUNIST SIDE OF A
FAMOUS THEME EVOKED BY U.S. UNDER SECRETARY OF STATE WALTER BEDELL
SMITH DURING THE 1954 GENEVA CONFERENCE ON INDOCHINA. SMITH SAID THEN
THAT NO NATION CAN HOPE TO GAIN AT THE CONFERENCE TABLE WHAT IT FAILS
TO HOLD ON THE BATTLEFIELD. NORTH VIETNAM AND THE VIETCONG HAVE NOW
ENLISTED THAT PHRASE IN THEIR OWN CAUSE.

ON THE ALLIED SIDE, OF COURSE, THE FEAR IS THAT ANY OPENING IN
THE DMZ COULD PROVIDE A HIGHWAY FOR NORTH VIETNAMESE TROOPS TO
POUR BACK INTO THE SOUTH WHEN THEY CHOOSE.

DESPITE THIS LARGE OBSTACLE, ALLIED EXPERTS HERE DO HOLD OUT
THE PROSPECT FOR ACHIEVING A COMPROMISE, PROVIDED THERE IS ENOUGH
WILL TO PRODUCE AGREEMENT. SECRET TECHNICAL TALKS BEFORE THE
KISSINGER-THO MEETING REPORTEDLY SHOWED SIGNS THAT COMPROMISE IS
POSSIBLE, AND THE KISSINGER-THO MEETINGS ARE SAID TO HAVE PRODUCED
NO SETBACK FOR THIS PROSPECT DESPITE THE EXPECTED EXPRESSIONS OF
INDIGNATION FROM THO OVER THE MASSIVE AMERICAN BOMBING.

BUT THE TOUGHNESS OF THE BARGAINING, AS ONE INSIDER PUT IT,
HAS REMOVED THE GLOW OF MUTUAL UNDERSTANDING THAT ONCE EXISTED
BETWEEN KISSINGER AND THO. THE COMMUNIST SIDE, THIS SOURCE RECALLED,
"USED TO SAY THAT IF THE AMERICANS LEAVE THEY WILL LAY OUT A RED
CARPET FOR THEM AND SCATTER FLOWERS ON IT. NOW THERE MAY BE A CARPET--
BUT NO FLOWERS."

5. **LETTE** No Objection to Declassification in Part 2010/08/06 : LOC-HAK-248-4-13-8 **INED**
AND DATED DOODLES FOR INCLUSION IN A BOOK HE HAS BEEN COMMISSIONED
TO PREPARE BY A LONDON PUBLISHING COMPANY. IT WOULD BE INCLUDED,
WITHOUT COMMENT OR INTERPRETATION, IN A SELECTION OF DOODLES FROM
PEOPLE WHO HAVE REACHED THE HEIGHT OF THEIR PARTICULAR FIELD.

6. INVITATION FROM ISRAEL MINISTER AND MRS. IDAN TO A DINNER TO
SAY GOODBYE TO AMBASSADOR AND MRS. RABIN. 7:30 P.M. INFORMAL.
(I UNDERSTAND THAT YOU HAVE TENTATIVELY ACCEPTED THIS INVITATION,
ALTHOUGH YOU AND HERB SCHLOSSER DISCUSSED THE POSSIBILITY OF
GETTING TOGETHER ON THIS DATE.)

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PARIS

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TOHAK 60

JANUARY 10, 1973

TO MR. KISSINGER

FROM JULIE

SUBJECT PERSONAL MAIL - WEDNESDAY, JANUARY 10

1. SOCCER SCORES FROM GERMAN EMBASSY.

2. LETTER FROM ALBERT H. QUIE, MC, WITH DETAILS ABOUT THE NATIONAL PRAYER BREAKFAST, THURSDAY, FEBRUARY 1 AT 8:00 A.M. AT THE WASHINGTON HILTON HOTEL.

3. LETTER FROM DR. BEN ARMSTRONG INVITING YOU TO THE 30TH ANNUAL CONGRESSIONAL BREAKFAST, TUESDAY, JANUARY 30 AT 8:00 A.M. AT THE WASHINGTON HILTON.

4. LETTER FROM COURTNEY SHELTON, THE CHRISTIAN SCIENCE MONITOR ASKING IF HE MIGHT HAVE A BACKGROUND INTERVIEW WITH YOU AFTER THE VIETNAM SETTLEMENT IS CULMINATED ON YOUR ROLE IN THE WHITE HOUSE IN BRINGING TOGETHER THE DIVERSE PHILOSOPHIES AND MECHANICS OF STATE, DEFENSE AND INTELLIGENCE AGENCY OPERATIONS INTO ONE COHERENT FOREIGN POLICY.